

#5

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Application of Bruce Bryan, et al.

Group Art Unit: Unassigned

Serial No.: 09/808,898

Examiner: Unassigned

Filed: March 15, 2001

Attorney Docket No. LUME 48487

Title: RENILLA RENIFORMIS FLUORESCENT PROTEINS, NUCLEIC ACIDS
ENCODING THE FLUORESCENT PROTEINS AND THE USE THEREOF IN
DIAGNOSTICS, HIGH THROUGHPUT SCREENING AND NOVELTY ITEMS

PETITION UNDER 37 CFR 1.47

10/25/2001 AKELLEY 00000009 500859 09808898

01 FEE:105

130.00 CH

September 10, 2001

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Applicants Bruce Bryan and Christopher Szent-Gyorgyi hereby petition pursuant to 37 CFR 1.47 to proceed in the application without the signature of Mr. William Szczepaniak. Mr. Szczepaniak has indicated to Applicant Bruce Bryan on at least one occasion that he will not sign the Declaration for this application. The undersigned attorney attempted to provide Mr. Szczepaniak with a copy of the application for his review via Federal Express. However, after three attempts, the Federal Express courier was not able to deliver the application to Mr. Szczepaniak. A copy of the Federal Express receipt, along with the tracking information are enclosed. Mr. Szczepaniak's last known address is:

372 South Highland Avenue, #203
Pittsburgh, PA, 15206.
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OCT 23 2001
OFFICE OF PETITIONS

Applicants respectfully petition that they be permitted to proceed with the present application without the signature of Mr. Szczepaniak.

Respectfully submitted,



Robert S. Klemz
Registration No. 46,305
One Oxford Centre, 38th Floor
301 Grant Street
Pittsburgh, PA 15219